

APPLICATION NO: 25/00093/DEMCON **CASE OFFICER:** Andrew Hunt

WARD: Roby **PARISH:** N/A

LOCATION: Millennium Centre, Court Hey Park, Roby Road, Roby, Knowsley, L16
3NA

PROPOSAL: PRIOR NOTIFICATION FOR DEMOLITION OF BUILDING

Site Description

This application site is a long thin rectangular building and surrounding area. This was previously the national wildflower centre but is now derelict and unused with the building being in a state of disrepair. There is a complex of buildings to the north west with landscaped park areas to the south and east.

Proposal

The proposal is a prior notification for the demolition of building. The building is a long thin rectangular single storey concrete building with a derelict and damaged appearance. The proposal is to demolish the Millennium Building and for the area to be landscaped and reopened into the public realm of Court Hey Park.

Consultations

Environmental Health – No objection, subject to the information provided being made approved documents.

Highways - No objections to the proposal.

Merseyside Environmental Advisory Service – No objection. The method statement is acceptable. The development needs to be assessed against the three tests.

Representations

The application has been publicised by a site notice erected by the applicant in accordance with the General Permitted Development Order 2015 (As Amended). No representations have been received.

Planning History

09/00616/FUL - ERECTION OF TWO STOREY MIXED USE BUILDING
COMPRISING OFFICES, MEETING ROOMS, EXHIBITION SPACE, SEED
CLEANING, SEED SOWING AND PLANT NURSE – granted - 02.07.2010

07/00963/FUL - REPLACEMENT OF EXISTING 2.4 M HIGH MESH FENCING WITH
NEW 2.4 M HIGH MESH FENCING AND INSTALLATION OF DOUBLE ROLLER

ANTI-CLIMB BARRIERS TO EXISTING WALL NEW MESH PANELS TO EXISTING FRONT AND REAR ENTRANCE GATES. – granted - 13.12.2007

04/01382/FUL - INSTALLATION OF 2 NO. PHOTOVOLTAIC TRACKER PANELS ON 3M HIGH POLES (SITUATED IN WALLED GARDEN) – granted - 17.03.2005

04/01310/FUL - ERECTION OF 16 NO. FLAGPOLES IN COURTYARD AND CAR PARKING AREAS - granted - 17.03.2005

03/01214/FUL - REPLACEMENT OF EXISTING GATES & RAILINGS TO THE ENTRANCE & RE-LOCATION OF AN EXISTING FENCE TO A NEW BOUNDARY – granted - 25.02.2004

Relevant Policy

General Permitted Development Order 2015 (As Amended)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Amenity

Policy CS19 in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.

The building is located 43 metres from the nearest dwellings on Thornton Road but is separated from the dwellings by large trees which screen the site.

As the proposal is a demolition rather than a new building there would be no harm in relation to loss of light privacy or outlook. The applicant has confirmed that works will only take place between 8am and 6pm Monday to Friday and 8am and 1pm Saturday and the quietest generators available will be used. The demolition process will be managed to minimise any disruption to neighbours from noise and disturbance.

In relation to dust suppression. The site will have a permanent water supply, and it will be available at all times for dust suppression purposes. Stockpiles of waste will be located as far away from the sensitive receptors as possible. If required, the waste will be wetted prior to being loaded into the wagon. Wagons leaving the site with dusty materials will be covered

Overall, with the mitigation measures in place, there will not be harmful amenity impacts on neighbours from dust.

The proposal would not result in harm to amenity. This is supported by the views of Environmental Health who have no objection to the proposal. Overall, the demolition would not adversely affect the occupiers of neighbouring premises.

Highways

NPPF para 116 states that a development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.

The demolition would take within the site and away from vehicular roads. There is sufficient parking nearby to serve construction vehicles.

The method statement submitted covers issues in relation to management of communications with stakeholders and those affected by the demolition. Highways are satisfied that measures are in place to inform and protect surrounding businesses such as the café and allotments and that emergency contact details will be provided should they be required. The logistics plan provided is accepted and the presence of a banksman appeases concerns regarding the narrow access road at Court Hey Park raised previously.

The Demolition Method Statement is considered to provide sufficient detail concerning the operation to ensure that there are no highway safety concerns. This is supported by the view of the council's highways department who have no objection to the application. Therefore, overall, there would be no impact on highway safety from the proposal.

Ecology

Part 2 of Core Strategy Policy CS8 states that planning powers and other interventions will be used to:

- c) Promote effective movement of wildlife through a network of strategic green links, by protecting, maintaining and improving existing and new open spaces, water courses (including water quality) and biodiversity assets;
- d) Protect, enhance and/or introduce biodiversity into existing areas of Green Infrastructure, through integration into the design of new development and public realm projects;

A Great Crested Newt Survey has been produced by the applicant. The report identified the presence of great crested newt within a nearby pond which is well connected to the site (Pond 4 approximately 110m to the north).

The report determined that the demolition has potential to harm great crested newts in the absence of mitigation.

As a result, the application needs to be assessed against the three tests.

Three Tests

Test 1: Regulation 55(1)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”

The proposals include the demolition of the former National Wildflower Centre. The building has fallen into disrepair. A condition Survey determined that the investment needed to repair and reopen the building far exceeded the cost to demolish and reinstate the footprint as public open space. The pond (P4) which hosts great crested newt will not be lost as a result of the development. However, the site is located near to the pond with high connecting routes, therefore it is possible great crested newt are present within the site. The site will be enhanced for great crested newt with the creation of hibernacula (habitats) through the creation of refuge piles approximately 2-metres in diameter, 4-metres in length and 1-metre in height. Appropriate pollution prevention measures will be implemented to ensure that ponds and habitats are not indirectly impacted by the development. These include the following:

- All plant, machinery and vehicles will be switched off when not in use, as this minimises unnecessary air pollution.
- Regular physical observation and recording by key members of staff and the Environmental Team monitoring wind speed and direction also.
- Toolbox talks with all project staff to ensure all understand the impact of dust on the locality.
- De-construction methodology implemented taking into account de-construction drop distances, areas of exposure and dust control effectiveness.
- Demolition methods will mitigate dropping from height as far as reasonably practicable. Demolition will be gradual and accompanied by suitable dust suppression as detailed above.
- Lorries are sheeted before leaving site and that damping down measures as detailed above are also deployed at the processing stage - this will ensure that dust emissions are minimised during the process.
- Dust monitoring will be carried out at site perimeters on a continual basis.
- Monitoring will be carried out remotely at a centralised point and the Site Manager will be alerted without delay should any abnormal readings be experienced.

Test 2: Regulation 55(9)(a): “that there is no satisfactory alternative”

The proposals are for the demolition of a building and alternative sites are not required to be considered. The demolition may impact habitat that provides suitable

terrestrial cover for great crested newt. Appropriate measures are suggested within section 6.0-6.12 Great Crested Newt Surveys report (Tyrer Ecological Consultants Ltd, July 2025, project ref PR-0246-24) to ensure great crested newt will not be harmed throughout works. Additionally, hibernacula such as log or rubble piles and stones will be created and established prior to works to ensure that appropriate refuge is available for great crested newt. The scheme proposed is considered the most appropriate mitigation and compensation approach.

Test 3: Regulation 55(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

Works at the site without appropriate mitigation may result in harm to great crested newt. Works are unlikely to cause a detrimental change to the conservation status of the European Protected Species at a local or county level but may lead to offences under the Wildlife and Countryside Act (1981) and Conservation of Habitats and Species Regulations 2017 (as amended). Proposed mitigation and compensation measures within the submitted Great Crested Newt Surveys report will ensure that refuge for great crested newt is in place prior to the demolition of the building. The mitigation measures detailed within 6.0-6.12 of the Great Crested Newt Survey includes

- habitat enhancement through the creation of refuge piles approximately 2-metres in diameter, 4-metres in length and 1-metre in height.
- Toolbox talks
- Pre-commencement checks
- Site clearance/rubble removal by hand first.
- Use of an Ecological Clerk of Works
- Commuting route retention (maintenance of off site areas in their present state).
- Pollution control measures.

As long as the mitigation measures detailed within section 6.0-6.12 of the submitted report are implemented, then these tests would be satisfied and there would be no harm to ecology. This is supported by the council’s ecological advisors who have no objection to the proposal. In order to secure the implementation of the measures in the Great Crested Newt Survey, this document will be listed on the decision notice. Overall, there would be no harm to ecology and the application complies with Core Strategy Policy CS8.

Conclusion

The development complies with the relevant criteria set out in Schedule 2, Part 11, Class B of the GPDO 2015 (As Amended). The submitted details are considered to be acceptable. Therefore, it is considered that prior approval is required and granted in accordance with the provisions of the GPDO.

Recommendation

The applicant be informed that under the terms of Class B of the Town and Country

Planning (General Permitted Development) Order 2015 (As Amended) prior approval
For the demolition of the buildings is required and hereby granted

Signed Case Officer¹: **Andrew Hunt**

Signed Authorising **Jo Sheridan**
Officer²: _____

Date: **11/09/2025**

1 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

2 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

1) Plans List

The following Plans are approved:

- a. DEMOLITION HEALTH, SAFETY & ENVIRONMENTAL MANAGEMENT PLAN - (received 05/09/2025)
- b. Great Crested Newt Survey - (received 22/07/2025)
- c. Site Location Plan - (received 12/02/2025)
- d. Site Plan - (received 12/02/2025)
- e. Design and Access Statement - (received 12/02/2025)

2) Species License

Under Regulation 53(1) and 56(3)(a) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), a licence, issued by the EPS Licensing Team of Natural England, is required prior to disturbing GCN or destroying / damaging / obstructing any place that is used by GCN as a resting place or breeding site. This includes both breeding ponds as well as terrestrial refuge areas.